

**TULARE COUNTY WATER COMMISSION
MEETING MINUTES
November 9, 2015**

Members Present:

Allen Ishida, Board Representative and Chairman
Dale Brogan, District 2 Appointee
Mark Larsen, District 3 Appointee
Richard L. Schafer, District 5 Appointee
Susana De Anda, At-Large Appointee
Mike Ennis, Board Alternate Representative
Paul Boyer, District 1 Appointee
Rudy Mendoza, TCAG Representative
Roger Everett, At-Large Appointee

Members Absent:

Chris Kapheim, District 4 Appointee
Larry Peltzer, At-Large Appointee

Staff Present:

Julieta Martinez, Board Representative
Denise England, Water Resources Program Manager
Marit Erickson, County Counsel

Members of the Public Present:

Bob Irvine
Kim Loeb
Michael Prado Sr.
Ralph Gutierrez
William Cortes
Richard Garcia

1. Call to Order

The meeting was called to order at 3:03pm.

2. Public Comment Period

Michael Prado Sr., 41676 Sultana Road in Sultana Ca, was present to give a brief comment. He was disappointed in the manner the September meeting was cancelled and suggested staff find a better way to communicate this information to interested parties.

3. Approval of August 10, 2015 minutes

Motion by Commissioner Mendoza, second by Commissioner Boyer. Motion approved.
Commissioner Larsen abstained.

4. Beyond the Brink Project. Presentation by Jim Thebaut, Chronicles Group, Inc.

Jim Thebaut was in attendance to discuss his project, Beyond the Brink. He is an environmental planner and documentary film maker who grew up in the bay area. His family owns a ranch in Lodi. He has many years of experience in writing environmental impact reports and developing methodologies. He has also produced a film, American Southwest Running Dry.

Jim was invited a few years back to speak to group in Visalia and present excerpts from his film. Listening to what people were telling him, he found himself listening more than presenting.

He shared that it is clear to him that the rest of the world is interested in what we have here in the San Joaquin Valley. He then decided to implement the Beyond the Brink Project right here in California. He filmed an entire week in June conducting on camera interviews. People he has interviewed include Sarge Green, Dolores Huerta, Karl Longley and more.

He also discussed the creative elements of this film. He wanted it to be educational, sobering, and uplifting. Many people in the north east do not even think about water or realize the significance of this valley, the breadbasket of the country, and how important it is to assure there is sustainable water in the valley. One objective is to communicate to the country and congress how important this valley is.

He provided Commissioners with a copy of his project and shared that the planning process was presented on pages 31-32 of document. He also shared that in the document one can find letters of support from different entities. Over the years, he put together some water policy principles which are included.

Commissioner Boyer shared that staff from Self-Help has met with Jim on occasions in the last year for the purpose of filming and tours of local communities. He stated that the films produced by Jim were well balanced.

Commissioner De Anda has worked with Mr. Thebaut and said that she appreciated him coming to the Commission. She believes it is important to study the valley. Although she did mention that she did not know if the story is balance because she is not clear on the ultimate goal of the documentary since policy can shift. Discussion followed.

5. Update on the Tulare County Well Construction Ordinance.

Jason Britt, HHSA, was present to give an update on the ordinance. He shared that staff had previously presented to the Water Commission to receive input and begin the process of revising the ordinance. The purpose of the revision initially was because there had not been an update in quite some time and the requirements for property owners and drillers was no longer reflected in the ordinance. As a result of that process, there has been some conversation about whether or not the well ordinance update will include anything about groundwater management but he wanted to clarify that it was never the intent of the ordinance to address groundwater management. What people will see in the updated ordinance is updated seal depths, set back requirements, and mostly aligning the changes to the current practices. Staff is in the final stages of tweaking language then we will have a new construction ordinance to present to the Board.

Commissioner De Anda requested clarity on the process and asked if there had been stakeholder meetings with the public.

Jason replied that the meetings had not yet been scheduled as they were waiting on a solid draft before moving forward.

Edward Needham, Chair of the Agricultural Advisory Committee (APAC), commented on a committee that was put together two months prior to review the well ordinance and wanted to know if their input was being taken into account.

Chairman Ishida wanted to clarify and stated that the policy side is completely separate from the well construction ordinance. Environmental Health staff was to address construction only.

Commissioner Larsen believes what happened was a misunderstanding of what APAC wanted to see versus what Water Commission wanted to review. Discussion followed.

Commissioner Mendoza felt that there is no sense of urgency for the well construction ordinance and suggested staff set some immediate goals. He asked the Chair to give direction on putting together some target dates.

Chairman Ishida agreed and asked Jason to begin the stakeholder outreach but reiterated that he does not wish to mix policy with the well construction ordinance. He asked if the Joint Groundwater Subcommittee had already met, but it has not done so.

Marit Erickson stated that the committee will be subject to the Brown Act.

Commissioner Mendoza asked staff to make sure that the committee met and directed staff to make note that Edward Needham will be chairing the subcommittee.

6. Discussion on the Sustainable Groundwater Management Planning Grant Program: Counties with Stressed Basins proposal solicitation package.

Denise England stated that the Department of Water Resources finalized their project solicitation package for the first round of Prop 1 funding last week. Under that program each county with a stressed basin that is economically disadvantaged is eligible to receive grant funding. The application also requires 0% match. The scope of work is data gap analysis with additional work around coordination agreements. The application is due December 8th and will be considered by the Board of Supervisors for approval. Discussion followed.

Commissioner De Anda asked the Commission to consider including a groundwater ordinance as part of the funding application and to have a stakeholder discussion.

Commissioner Mendoza stated that he does not feel more meetings are necessary.

Commissioner Larsen said that one of the big challenges that we have with this grant is that it's a bit of a cart before the horse. This is front money asking for ordinances.

Commissioner Boyer felt that is the County was going to produce a plan under SGMA then they would have to look at imported water due to the decrease in groundwater levels.

There was public comment made by the following individuals:

Ryan Jensen translated for Olivia Vargas Ceballos of Porterville. She asked for assistance for residents whose wells have gone dry. She is currently on the tank program but wished she had a permanent well. She is grateful for the help being offered but felt it was important to find a permanent solution.

Jesus Quevedo of Cutler shared that he was part of the Agua Coalition and was in attendance representing East Orosi and Cutler-Orosi. He stated that there are many people who once had water and no longer do. Their wells have dried up and do not foresee an immediate solution. He wanted to know how the County will help those residents whose wells have dried up.

Irma Medellin, Farmersville, commented on the hard time people are going through because of the drought. At the same time she asked the Commission to consider people living in poverty or close to it. She said the County is doing a good job distributing permits for new wells but it is necessary to find other means of providing groundwater to those who cannot afford their own well.

Michael Prado, Sultana CSD, said that he has seen the wells in Monson drying up and feels the

County needs to put something in place to protect the groundwater supply since there is no current ordinance to reference.

Fred Beltran with the Porterville Area Coordinating Council was present to express and urge the Commission to recommend and approve the planning grant. Noting that half a million dollars is quite a bit of money.

Ryan Jensen, Community Water Center, wanted to urge the Commission to recognize that there is a major emergency that needs to be dealt with. He felt that action needed to be taken now to begin a collaborative discussion.

Alberto Terran, Porterville, said that it was a shame to see Porterville in the national news. He hopes that the County can find a permanent solution so that people do not have to use the portable showers in trailers.

Ralph Gutierrez of Exeter commented on having a permanent job at the Woodville Public Utility district. He heard a mention that without service water deliveries we cannot have SGMA. He asked if that meant that the County would continue down the same path.

Chairman Ishida stated that the answer is simple. That it is the law in the State of California and we follow the law.

Commissioner De Anda thanked everyone for sharing their stories added that the Commission should add the request to implement a groundwater ordinance to the proposal. Discussion followed.

7. Subcommittee Reports

None at this time.

8. Staff Reports

- a. Sustainable Groundwater Management Act
 - i. Implementation in Tulare County

Denise England reported that the Tulare County portion of the Kings sub-basin continues on the same path with Alta Irrigation District leading the way to form the Kings East Groundwater Sustainability Agency (GSA). AB 1135 would have legislatively formed the Kings East GSA, but was converted to 2 year bill during the last legislative session. In the meantime the group is discussing an MOU or MOA. England went on to report that a small portion of Tulare County is within the Consolidated Irrigation District and that District is not part of the Kings East group and has proposed becoming a standalone GSA. England continues to meet with the larger Kings Sub-basin group monthly to discuss GSA formation in that region. The Kaweah sub-basin continues to work through the facilitated process to identify the best path forward. Several of the stakeholders, including the County, Kaweah Delta Water Conservation District, Lakeside Irrigation District, and the Kings County Water Agency have been working on an MOU to form the Greater Kaweah GSA. The Mid Kaweah GSA has been formed and meets on a monthly basis in Visalia. England stated that there has been some discussion on the east side of the Kaweah sub-basin to form a smaller GSA.

England reported that the public agencies in the Tule sub-basin continue to meet. She indicated that she has met with the Kern Tulare Water District and they indicated that they may be looking at forming a GSA for the southeast corner of the Tule sub-basin.

The District is considering a jurisdictional adjustment into the Kern Sub-basin. England indicated that the County was also approached by Sean Gievet, General Manager for Saucelito Irrigation District, Porterville Irrigation District, Poplar Irrigation District, and Terra Bella Irrigation District about the possibility of forming a JPA with the County to form a GSA.

Commissioner Schafer clarified that the Tule sub-basin had executed an MOU by all the public districts in the sub-basin for the development of a coordination agreement. He explained that this will be the guiding agreement that the critical components of the GSPs will be based upon. He went on to say that the MOU parties have had numerous meetings and in the last meeting it was decided to form an outreach committee and also a technical work group.

b. Tulare Lake Basin Disadvantaged Communities Study

At the end of that study, the County was able to get an amendment from DWR to spend the remaining funding that was left. The amendment was finally executed and the first SOAC meeting was held in October.

c. Drought update

As of today, there have been 1,945 wells that have gone dry and 1,129 bottled water program participants.

9. Commissioners Comments

Commissioner De Anda shared that as a Commission she believed the statistics on drought are really staggering and hope to see a change soon.

Chairman Ishida stated that he would like to see updates soon on the well construction ordinance.

10. Next meeting – Monday, January 11, 2016, 3:00 p.m. – Board of Supervisors Chambers

11. Adjourn

The meeting adjourned at 4:52pm.